

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

TYLER JOHNSON,

Plaintiff,

v.

MATTHEW CROWELL, et al.,

Defendants.

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No. 4:20-cv-00408-SNLJ

MEMORANDUM AND ORDER

This matter comes before the Court on the motion of plaintiff Tyler Johnson for leave to commence this civil action without prepayment of the required filing fee. (Docket No. 2). Plaintiff has not, however, submitted a copy of his inmate account statement.

Pursuant to 28 U.S.C. § 1915(a)(2), “[a] prisoner seeking to bring a civil action...without payment of fees...shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint...obtained from the appropriate official.” Because plaintiff is within the custody of the Phelps County Jail in Rolla, Missouri, he is a prisoner within the meaning of the statute. *See* 28 U.S.C. § 1915(h). Therefore, the Court will order plaintiff to submit a copy of his inmate account statement in order to be granted leave to proceed in forma pauperis. Plaintiff will be given thirty days to comply with this order. If he fails to comply, this action will be dismissed without prejudice and without further notice.

Accordingly,

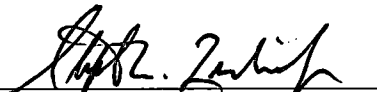
IT IS HEREBY ORDERED that plaintiff’s motion for leave to proceed in forma pauperis (Docket No. 2) is **HELD IN ABEYANCE**.

IT IS FURTHER ORDRED that plaintiff shall submit a copy of his inmate account statement for the six-month period immediately preceding the filing of his complaint within **thirty (30) days** of the date of this order.

IT IS FURTHER ORDERED that if plaintiff fails to submit a copy of his inmate account statement within **thirty (30) days** of the date of this order, the Court will dismiss this action without prejudice and without further notice.

IT IS FURTHER ORDERED that upon the filing of plaintiff's inmate account statement, the Court will review his complaint pursuant to 28 U.S.C. § 1915.

Dated this 4th day of Aug., 2020.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE